

Hoffa's Top Aide Identified as Bagman Who Shredded Documents

Feds Charge Hoffa's Benefactor with Embezzling Union Funds for Campaign

Michigan's top Teamster and five allies have been charged by the Independent Review Board (IRB) with embezzling \$30,000 in union funds for their campaign against a reform slate of rank and file Teamsters in Detroit Local 337. Those charged include Michigan Joint Council 43 president Larry Brennan, who in the mid-1990s gave James Hoffa an "administrative assistant" job to provide him with the eligibility he needed to run for Teamster president.

Even more startling, Hoffa's Executive Assistant Carlow Scalf — his most powerful appointee — is identified in the IRB report as the bagman in the

scheme, and the one who shredded records when he learned law enforcement agents were investigating.

The IRB recommended on June 2 that charges be filed against Brennan and five others on the Local 337 executive board. The six are accused of scheming to divert \$30,000 in Teamster dues money to their re-election campaign in Local 337, when they faced an election challenge in late 1996 from rank and file members aligned with TDU.

Brennan and his fellow officials schemed to illegally provide inflated bonuses and temporary raises to 15 officials. The secretary-treasurer

then cashed all the bonus checks and gave the money to Carlow Scalf, who distributed the cash and then

nan's move to give him a "job" that made him eligible to run for office and a base to campaign from. Brennan and

"Scalf's explanation for not having a bank account is unpersuasive and misleading. ... Scalf's explanation for not retaining records is also unpersuasive. ... From the failure to maintain these records it may be inferred that Scalf knew that these records would reveal something improper related to the Local election campaign."

Independent Review Board's recommendation to James Hoffa to file charges against members of the Local 337 executive board.

recollected it as campaign contributions.

Scalf, the bagman in this sordid scheme to take dues money to buy an election, is now the highest appointed person in the union. The IRB charges, which are detailed in a 42-page report that cites 69 exhibits, note that Scalf played a pivotal role, though he has not yet been charged. The report details that he shredded the records of his operation in June 1997, after the feds began to interview involved parties; that he kept all the money in cash; and that his explanations for his actions lack credibility.

For Kroger Advantage Logistics Michigan driver and Local 337 member David Iho, the charges are long overdue. "It's disappointing that it's taken so long for these charges to come down. But hopefully they'll help us get a fair election and clean up our local."

Iho, who was on the reform slate that the old guard beat with embezzled money, went on to say. "A number of Teamsters I work with hope this cleans house at the local, including the BAs who were part of Brennan's scheme. None of them should be allowed to move up the corrupt food chain."

Hoffa and Brennan

Hoffa owes Brennan a lot: he could not have run without Bren-

nann's move to give him a "job" that made him eligible to run for office and a base to campaign from. Brennan and

Hoffa go way back: their fathers were partners in business and crime. Hoffa has claimed he will run the union with "ethics" and has hired consultants to sell that claim. But now that his benefactor has been caught deep in corruption, he has taken no action at all to clean it up. He has not even issued a statement criticizing the embezzlement, but has instead tried to cover up the matter. And worst of all, instead of turning the matter over to the IRB for a hearing, he has moved to stall that by having the International officers hold one. The IRB has already stated that crucial FBI evidence would not even be available to such a union hearing.

Brennan has reportedly bragged around his Detroit headquarters that, "If they get me, they'll get Carlow. If they get Carlow, they'll get Jimmy." No wonder Hoffa has to protect his corrupt pals.

More News Inside ...

UPS Record Profits p. 4

Wisconsin SuperValu Contract p. 5

Indiana Officials Embezzle \$900,000 p. 7

Petition Drive Grows p. 8

Your Rights and Employer Investigations p. 11

Want to End Corruption in Our Union? Get Involved!

The best way to end union corruption is for members to get involved. And the best way to get involved is to join TDU. Join with thousands of other Teamsters across North America who are building the reform movement, and building a stronger union in the process.

JOIN TDU

TDU MEMBERSHIP APPLICATION

Name _____ Local _____

Address _____

City _____ State _____ Zip _____

Phone (____) _____ Company _____

e-mail address _____

☐ City ☐ Road ☐ Dock ☐ Clerical ☐ Warehouse ☐ Construction ☐ Production

other _____

____ \$35 one-year membership & subscription to *Convoy Dispatch*.

____ \$85 three-year membership fee. (\$10 shall be rebated to the local chapter)

____ \$20 for spouses, and Teamsters who gross less than \$17,000 a year.

____ \$20 for retirees. Retired from Local _____

Check or money order

Mastercard/Visa # _____ Exp. date ____/____/____

Date _____ Signature _____

Return to: TDU, P.O. Box 10128, Detroit, Mich. 48210

TDU membership is kept confidential. TDU solicits and accepts membership applications and donations only from Teamsters, retired Teamsters and spouses who are not employers. Only funds from Teamster members and their spouses can be used for campaign purposes.

Letters From Our Members

Local 986 Members Ruled Out of Order

El Monte, Calif., Local 986, once the largest local west of the Mississippi, has lost members. And the members who remain seem to be losing their rights.

Due to problems at our May general membership meeting, I bought and studied a copy of "Robert's Rules of Order Newly Revised." I thought that members would regain control of major decisions at our June meeting. But despite properly making, and having seconded, a motion to rescind previous approval of a 401(k) for Local 986 employees (on top of their multiple pensions) the chair of the meeting, Local 986 President Mary Lou Salmeron, repeatedly ruled my motion out of order.

I cannot let dictatorship stand without a challenge, so I have filed charges.

Another example of the lack of democracy in our local is in our bylaws. It takes at least 10 percent of the members signatures on a petition just to *propose* a bylaws amendment. That is over 1,000 signatures! It shouldn't be that difficult to change our own rules. Since the seven people of the executive board can propose a bylaws amendment, seven members should be sufficient to do likewise.

I'm learning that sometimes we have to work and battle our own executive board to keep our democratic rights.

Larry Parker

Local 986, Foster Wheeler
South El Monte, Calif.

Reform Movement Must Be Consistent

The April issue of *Convoy Dispatch* contained an article chastising Les Singer for "not seeing corruption under his nose." On the opposing page is an article denouncing Hoffa for bringing suit against Ron Carey, et.al., to recover the cost of the special election. The article gives Carey a pass, stating, "The IRB ruled only that Carey should have known."

You can't have it both ways! No one is

wrong all the time, and Hoffa is right to attempt to recover the \$2.2 million of dues money spent on the 1996 election.

Our reform movement needs to maintain a consistent record to maintain our credibility. If we are to win in 2001, we must distance ourselves from the past, and that includes Carey's mistakes.

Don Johnson

Local 407, Yellow Freight
Cleveland

Don't Call Nonunion Workers Scabs

I was disappointed to read an article in the June *Convoy Dispatch*. The headline reads: "Accuride Wheels Are Scab Wheels." If we continue to call nonunion workers scabs they will be closed minded about being a union worker. We need to change our perception of being hard asses. We need to talk with these nonunion workers and educate them about our union, not be rude to them and degrade them by calling them scabs. Why would someone listen to and have an open mind about joining a union if the person talking to them thinks they are a scab?

Jesse McIntosh

Local 957, ABF
Dayton, Ohio

Editor's note: We agree that we should not call unorganized workers scabs, but should educate them about the benefits of joining a union. However, the UAW workers at Accuride have been on strike/lock-out since February of 1998, and those who have taken union members' work are scabs.

Florida Not a Hoffa State

Florida is not a Hoffa state. I am a retired UPS feeder driver. In the last

election we spread the word about Hoffa to every driver we met within the state. I believe that helped Leedham carry Florida. I intend to help get out the Leedham message in this election. Leedham carried the three major locals in Florida last election.

Charles Miller

Local 79, retired
Tampa, Fla.

TDU Meets

ASHTABULA, OHIO TDU

Last Saturday every even month

Saturday, Aug. 26, 1 p.m.

Geneva Country Kitchen

1741 Route 534 at I-90

Geneva, Ohio

For information call 330-797-1541

BALTIMORE/D.C. TDU

Third Sunday every odd month

Sunday, July 16, 2 p.m.

Location to be announced

For information call 301-317-4030

CHICAGOLAND TDU

First Sunday every even month

Sunday, August 6, 2:30 p.m.

UNITE Hall, 333 South Ashland

Corner of Ashland and Van Buren

For information call 773-486-3831

GEORGIA TDU

Meetings every second Saturday

Saturday, Aug. 12, noon

Shoney's Restaurant

3529 Main St.

College Park, Ga.

For information call 718-624-7746

or e-mail: GATDU@aol.com

MINNESOTA TDU

Sunday, Oct. 8, 1:30 p.m.

Broadway Pizza

Broadway & West River Rd.,

Minneapolis

For information call 612-825-7883

NORTHERN CALIFORNIA TDU

Third Saturday every odd month

Saturday, July 15, 10 a.m.

Dimond Branch, Oakland Public

Library

Fruitvale and MacArthur

Oakland, Calif.

For information call 707-426-5310

SOUTHERN CALIFORNIA TDU

First Sunday every even month

Sunday, Aug. 6, 10 a.m.

VFW Hall

101 S. Main St.

Pomona, Calif.

For information call 562-694-5831

or 760-951-4949

BADGER STATE TDU

First Saturday every even month

Saturday, August 5, 10:30 a.m.

Sue's Bayview Bandwagon

2463 South St. Clair, Milwaukee

For information call 414-965-3713

YOUNGSTOWN, OHIO TDU

Last Saturday every odd month

Saturday, July 29, 2 p.m.

Denny's Restaurant

4927 Mahoning Ave.

Austintown, Ohio

For information call 330-797-1541

Who We Are

CONVOY DISPATCH is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers—every kind of Teamster, and spouses, too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 15-member International Steering Committee was elected in November 1999 for one year. Our Rank & File Convention had over 400 representatives present.

We are proud Teamsters standing up for our rights. TDU invites all Teamsters interested in defending our contracts and reforming our union to join us. We do reserve the right to exclude those who are opposed to TDU and its principles.

Rank & File Bill of Rights

I. DEMOCRATIC BY-LAWS. All business agents and stewards should be elected. Vacancies in office should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining company seniority.

II. DIRECT ELECTION OF OFFICERS. General President and all International officers should be elected by the membership. International VPs elected by regions. An end to trusteeships and split-off locals.

III. A FAIR GRIEVANCE PROCEDURE. Innocent until proven guilty, right to remain on the job until final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

IV. PRESERVATION OF WORKING CONDITIONS. The union's purpose is to expand and preserve what we have, not trade it away for anything less. People come first, not productivity.

V. SAFETY AND HEALTH. We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right, backed up by our union, to refuse unsafe work or hazardous conditions. We are not machinery.

VI. EIGHT-HOUR DAY AND FIVE-DAY WEEK. Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four-day work week. We work to live, not live to work!

VII. A DECENT PENSION. Every dollar in the pension funds belongs to us. We are entitled to 25-and-out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money.

VIII. JUST SALARIES FOR OFFICERS. A union officer can't understand the problems of members who make less than half what he makes. No officer should make more than the highest paid working members in his jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for membership, and subject to membership approval.

IX. EQUALITY AMONG TEAMSTERS. Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

X. END TO DISCRIMINATION. Employers have used the differences in age, race and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.

TDU International Steering Committee

Co-Chairs:

Dan Campbell, Chicago, Local 705

Joe Fahey, Watsonville, Calif., Local 912

Diana Kilmury, Vancouver, B.C., Local 155

Michael Savvoir, Kansas City, Mo., Local 41

Organizer:

Ken Paff, Detroit

Trustees:

Gillian Furst, Minneapolis Local 1145

Ashley McNeely, Minneapolis Local 2000

Joyce Mims, Atlanta Local 728 spouse

Members:

Alex Adams, Cleveland Local 407

Homer Lambert, Chicago Local 743

Matt Latzo, Baltimore Local 355

Maria Martinez, Pasco, Wash., Local 556

Michael Ruscigno, New York Local 802

Willie Smith, Columbus Local 413

Chris Sullivan, New York City Local 237

Alternates:

Raul Rodriguez, Jr., Los Angeles Local 630

Rob Hermann, Baldwinsville, N.Y., Local 1149

Erik Jensen, Minneapolis Local 320

How to Contact TDU

We want to hear from you. Contact us at the address below for more information about TDU, or to send us articles or letters.

National Office: P.O. Box 10128, Detroit, Mich., 48210. Phone: (313) 842-2600. Fax: (313) 842-0227.

TDU can be contacted by e-mail at: tdudetroit@igc.org

or on the World Wide Web at:

<http://www.igc.org/tdu/>

NY Office: P.O. Box 170131, Brooklyn, N.Y. 11217 Phone: (718) 624-7746. Fax: (718) 875-9336.

E-mail: tdueast@igc.org

Copyright © 2000 by Teamsters for a Democratic Union. Contents may be reprinted by labor unions or rank and file organizations for use in the promotion of union democracy. Employers and all others may not use these materials without the specific, written permission of Teamsters for a Democratic Union. If material is used, its source, TDU *Convoy Dispatch*, must be cited.

Houston Yellow Freight

Crawley Removes Elected Steward Despite Members' Protests

Last year Danny Vela was a popular elected steward at Yellow Freight in Houston and he chose to exercise his rights as a Teamster and run for local union office on a slate opposed to incumbent president Chuck Crawley. This year he and his seven alternate stewards have been replaced by Crawley without a petition and without a new election.

To the contrary, 94 percent of the Yellow Freight Teamsters signed a petition in support of Vela and his alternates. Craw-

ley, generally regarded as a little tyrant, cooked up charges against Vela, based on two letters he supposedly received from two unidentified Yellow Freight Teamsters.

So you have 94 percent of the members in support and two anonymous complaints. Does that sound like the basis to remove an elected steward? It does to Crawley. When Vela and a contingent of his supporters went to the union hall to present the petitions, Crawley and

Secretary-Treasurer Dennis Bankhead climbed into a truck and beat a hasty escape without having the courage to meet with these members.

The Local 988 bylaws have a provision providing for an appeal to the executive board whenever the president removes an elected steward. Vela has made such an appeal, charging that the removal of him and his alternates was "based purely on politics and was not in the best interest of the members." He

further requested the "specific charges" and reasonable notice of the executive board meeting so that he might prepare his defense and bring witnesses.

So far, all he has received from Crawley is a notice that now the two anonymous members have preferred internal union charges against him and that the executive board would be meeting to review these charges to see if they have merit.

Local 988 members at Yellow are determined that democracy prevail.

Big Brother Is Watching at Stroudsburg, Pa., Roadway

Mike Nardelli
Local 229, Roadway
Stroudsburg, Pa.

In February of this year Teamsters at the Roadway Express facility in Stroudsburg, Pa., learned that "Big Brother" was watching. Gary Easterday, a former union steward, was fired for removing a notice from the company bulletin board. How did the company find out? He was caught on video camera in the lunch room used by union members.

The installation of these cameras (there are more than one) was never negotiated with the local. The local wasn't even informed of their existence until after Easterday was terminated. The company believes no negotiating is necessary because Article 26, Section 2, of the NMFA covers this issue.

Ironically, just prior to this incident the union bulletin board was vandalized, but no culprit was identified and no video of the incident was given to the union.

Easterday was fired for theft and dishonesty, since according to Article 26 these are the only reasons the cameras can be used. The removed notice was never found, so I guess the theft charge wouldn't hold up, and no dishonest behavior was observed by the camera, so he was actually fired for lying about removing the paper from the bulletin board.

Jack McGrail, the business agent involved in the case, speaking from the podium in front of a picture of Hoffa Jr, at the regular membership meeting, stated that Easterday's dismissal was upheld in committee because they felt "he wasn't apologetic enough."

Freight Lines

NationsWay Officers Found Liable for Pay.

A federal judge has ruled that former NationsWay officers, including Colorado Rockies owner Jerry McMorris, are liable for at least \$12 million in back wages to employees who lost their jobs when the company went bankrupt. The ruling was based on a Colorado law, the Colorado Wage Claim Act, which holds a company's officers personally liable for wages when a company seeks bankruptcy protection.

The decision gives former workers hope that they will be able to collect their back pay. A plan of reorganization under Chapter 11, which is being considered by a bankruptcy judge in Arizona, would only give the workers a fraction of what they are owed. Since NationsWay has limited assets, and one of the principals of the company, Jerry McMorris, has very deep pockets, the decision increases the likelihood that Teamsters will get full payment.

While this was a first legal victory for the involved workers, there will surely be further litigation, and a final resolution to this case is still far down the road.

Phil Young's Hidden Salary.

The International's 1999 LM-2 financial report filed with the U.S. Department of Labor states that freight director Phil Young received no multiple salaries, but TDU has information that shows otherwise.

Young received total compensation of \$94,394 from Kansas City Local 41, which he heads, in addition to \$111,384 total compensation from the International, for a total of \$204,891.

We trust the International will file an amended LM-2 report to correct this mistake.

Meanwhile, it is widely rumored that Young will retire from his position in Local 41 this summer, which has set off a power play in the local.

Meet Mark Serafinn

Candidate for Central Region Vice President
on the Rank & File Power Slate



Mark Serafinn, right, with a Local 722 member. Serafinn is running with Tom Leedham on the Rank & File Power slate.

Mark Serafinn is president of Local 722 in La Salle, Ill. Serafinn worked as a road driver for Consolidated Freightways before being elected to office. He's done organizing, bargained numerous contracts, served on freight and other grievance panels and the national freight bargaining committee, and is an officer of Joint Council 65. His experiences have made him a strong advocate for Teamster reform.

"In 1993 we put together a reform team here in Local 722. The members were behind us, and we won the election. Since that time I've worked hard to keep earning the respect of the rank and file that are the union.

"Over the years I found that International officials were not always doing the same. I've never been afraid to rock the boat, no matter who was in power. Most local officers won't do that, but I represent the members, not the top officials.

"As part of the Leedham slate I will be in a position to take my ideals into the

International, and make a difference. My core beliefs are rank and file democracy, equal rights for all, family, and uniting Teamsters and working people through progressive trade unionism.

"Hoffa says he is 'unifying the union' and in the minds of many old guard officials he is. In effect he is building his power base, unifying 'his' union, not the union that the rank and file belong to. The way to unify the union is by example. When the members see International leaders concerned only about the rank and file, they will expect that from their local officers also, and the ballot box will help unify the union.

"I hoped Hoffa would do what he promised, but I'm very disappointed. Just to cite two examples: First, the gutting of the freight grievance panels, with appeasement of the employers. Second, failure to protect the Teamsters' interest and even our jurisdiction in the construction industry. These are things we will take up when we win this election."

Just Short of \$4 Billion

UPS Profits Hit New High

Financially, 1999 was an amazing year for United Parcel Service. Operating profits broke all records at just short of \$4 billion for the year.

The most visible event was UPS's "going public" last November. After 92 years in which ownership of UPS stock was restricted to its employees, and held almost entirely by management (overwhelmingly by top management), UPS sold some stock on Wall Street for \$5.47 billion. This was the largest IPO (initial public offering) in history.

These new "Class B" shares amount to only about 10 percent of the shares now outstanding.

Top UPS management continues to hold the bulk of the old "Class A" shares. And a Class A share has ten times the voting power of a Class B share.

But going public did make stockholders some money. Just before going public UPS had treated its stock as worth \$47 a share. But the stock market thought UPS stock was worth more; it currently sells for about \$62 a share.

And UPS did very well not just on Wall

Street. Revenues were up 9.1 percent to \$27.1 billion while operating expenses rose only 5.1 percent to \$23.1 billion. Thus operating profits rose by 29.4 percent to \$3.988 billion. The operating ratio of 91.4 percent is the best for UPS in years and one of the best in the industry.

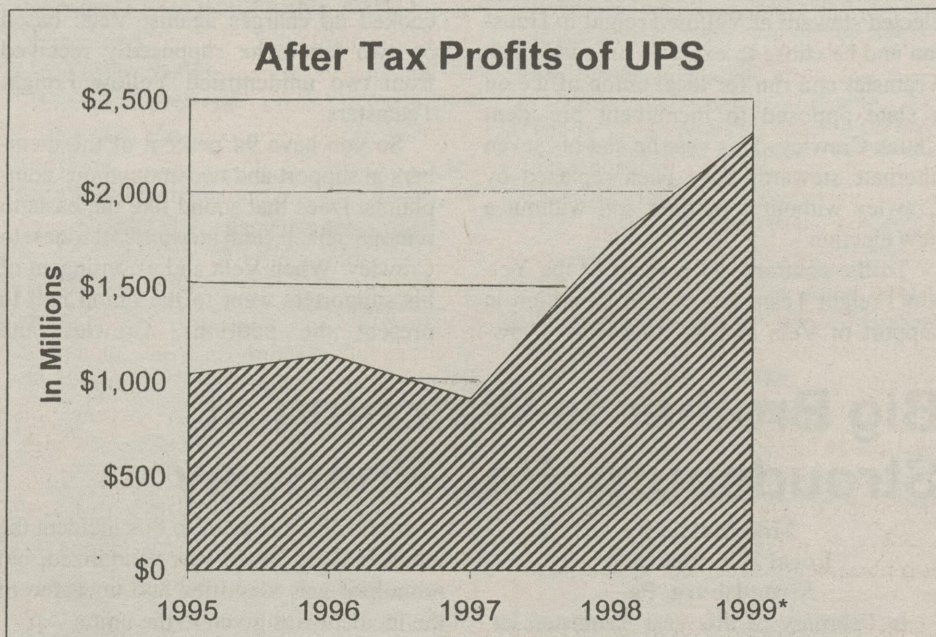
The biggest news here is that UPS's international package operations seem to have finally turned a corner to profitability.

After years of staggering losses (and a small profit in 1998), last year brought a \$252 million operating profit in international package operations and an operating ratio not much worse than in the U.S. A foreign business built on profits wrung from U.S. Teamster workers is now paying off.

The one fly in the ointment for UPS management and stockholders is the continuing fight with the IRS. The U.S. Tax Court has ruled that UPS failed to pay a fortune in taxes owed by a UPS offshore reinsurance subsidiary. For this UPS had to pay Uncle Sam \$1.44 billion in 1999

(lowering the bottom line after tax profits) and appears to be liable for over \$2 billion more. But for this tax penalty, after-tax profits reached \$2.3 billion.

But this is a small fly in a very large and sweet ointment. Teamster UPS workers are making this possible and deserve respect and their fair share.



* This amount does not include a special \$1.44 billion tax penalty in 1999, which lowered net profits to \$883 million.

Overwhelming Rejection Vote Gets Improvements

Canadian UPSers Set to Vote On New Contract

Canadian UPS Teamsters are about to vote for a second time on a new contract. UPS and the Canada Council of Teamsters announced a tentative agreement on July 7.

'Final Offer' Rejected in June

The new tentative agreement comes on the heels of a massive rejection of UPS's previous so-called "final offer" in June. "UPS thought they could use the threat of a final offer to force a vote and intimidate Canadian Teamsters into accepting a sub-standard contract," said Delta, British Columbia, Local 31 feeder driver Barrie Poirier, who is serving on the national negotiating committee, "but we called UPS's bluff and stuck together for a better contract."

The rejected deal would have provided wage increases of \$2.50 (Canadian) over four years for full-timers, but only \$1.20 for part-timers. It also would have reformulated the method for calculating pension benefits in a way that would short-change members. UPS hoped to persuade high-turnover part-timers to vote for the contract by increasing the wage progression by between \$1.50 and \$2.00 each year.

UPS campaigned hard for a yes vote, focusing especially on turning out the part-timer vote. Daily PCMs stressed the increased wage progressions for part-timers, and reminded full-timers to think solely of their own self-interest and to

"be concerned for your family when you vote."

Their tactic backfired. "UPS's sheer arrogance ended up being our best tool for getting out the no vote," noted Poirier. "Especially for the part-timers. I've never seen so many part-timers turn out for a contract vote."

Responding to the massive rejection vote, UPS Canada changed its tune about its final offer, immediately contacting the Canada Council of Teamsters to schedule another round of negotiations.

Some Improvements, Some Problems Remain

The new proposed contract equalizes wage hikes, providing increases totaling \$2.65 over four years for full-timers and part-timers alike. It keeps the increased part-timer wage progressions, and gets rid of the pension benefit reformulation, along with several other work rule concessions UPS was seeking.

But some worry that the proposed contract does not address key issues that could affect Teamster job security and bargaining strength over the long haul. "We fought long and hard to defeat UPS's concessionary proposals, and we succeeded there," said Poirier. "But despite our best efforts, we fell short in our fight for important work rule improvements, like longer paid breaks, more full-time jobs, closing the pay gap between full-time and part-time workers, getting rid of subcontracting in air and feeder operations, and putting an end to supervisors working."

Part-time work remains a major issue for Canadian UPSers. The Canadian UPS workforce is now 64 percent part-time. The existing contract contains language regarding air drivers (called premium service drivers in Canada) that requires UPS to create a full-time job if a member works more than 1,500 hours in one year as a premium service driver.

However, as the contract reads now only hours actually spent in the truck count towards the 1,500-hour limit. There is no credit for paperwork, loading, unloading, sorting, or anything else. The proposed deal does make some progress on this issue, upping the hours limit to 1,950, but requiring that UPS count all hours worked in premium service towards that limit.

Subcontracting

Subcontracting also remains a big problem. There are already nearly as many subcontracted feeder loads as UPS loads in the province of British Columbia. The tentative agreement does little to confront this erosion of Teamster job security.

Canada's 3,000 UPS Teamsters will vote on the proposed contract during the week of July 17-21. It is likely to be approved.

"I think members will react positively to the new tentative agreement because of the higher wages and the problems in the rejected tentative agreement that we fixed," said Poirier. "But we have to have a long-term strategy if we hope to win the kind of contract improvements that will protect our jobs and build Teamster power for the future."

UPS and Downs

Louisville Members Reject 6-Hour Jobs.

Teamsters at the Louisville air hub rejected a proposal to create a new category of part-time employee. The company tried to undermine the creation of good full-time jobs with a proposal for six-hour part-timers. They would be guaranteed six hours, but would forfeit overtime after five hours. The proposal was designed to avoid paying overtime to double-shifting part-timers, and to avoid full-time benefits. The proposal would have created three of these part-time jobs for every full-time inside job created.

Little Rock Drivers File Suit.

A group of package car drivers fed up with the unjust and arbitrary nature of firings in their building have taken steps to file a class action lawsuit in Arkansas. After some 14 drivers were terminated for a variety of reasons, concerned Teamsters decided to act. Inconsistencies in decisions from the Southern Region grievance panel have also spurred their efforts.

Racine, Wisc., Local 43

Unity Wins Better Contract at SuperValu

"This is a bittersweet victory," Local 43 Secretary-Treasurer Jerry Jacobs said about his local's new contract with SuperValu. "Thanks to membership unity we won important language changes, pension improvements and solid wage increases. But we still have challenges ahead with production standards and other unresolved issues."

Members went into negotiations with many serious concerns. Drivers were angered by last year's deal where SuperValu started hauling KMart work at reduced rates (and handed the work to lower paid workers in another local). Warehouse members had been under intense pressure for months to work 12-16 hours per day and six days per week — under unrealistic production standards.

As negotiations began the company shifted much of the local's work to other divisions and took steps to ease management replacement of bargaining unit members.

Members responded with unity. In early May they voted nearly unanimously to authorize a strike. When SuperValu claimed

impasse and pushed for a vote on a substandard offer members rejected the proposal by 100 percent.

Armed with that vote, Local 43 then decided to not rush ahead with a strike or back into bargaining. SuperValu's costs — for security, strike breakers put up in hotels and the extra costs associated with shifting work to Green Bay — were piling up day by day, creating another source of pressure on the company.

Before long management came back to the table ready to bargain. They agreed to two important language changes. One did away with a "Partnership Committee" that management had used to fend off real improvements and to undercut unity. Getting rid of team concept scams like this is a big victory. Another change beefed up contract language against subcontracting.

Pension, Overtime Improvements

Real changes were won to counter the outrageous overtime, with a 12-hour cap on hours every day and limits on work over and above the regular workweek. Pensions will be bumped up to Class 18 (within two and half years members can retire with Class 18) and medical was shifted to Central States' top plan. Medical changes are always complicated but all members will benefit by drastically reduced self-payments.

Unresolved was the fate of KMart work. SuperValu refused to reach agreement over this. Local 43 still has NRLB

charges pending over this issue (though these may be undermined by the position of the International Union and Warehouse Division). Production standards are still a concern. The goal was a drop

to 95 percent or better. Management held firm at 100 percent, strengthened by the fact that Green Bay has 100 percent.

Most significant, Local 43 did not allow concessions to slip into the new contract. This is in sharp contrast to contracts reached by other locals — like 337 in Detroit, 104 in Arizona and the

AWG locals — where management got production pay schemes for drivers and union-busting changes in seniority and overtime provisions.

Unity and a strong local can win good contracts. To make more progress we need a strong national union with the backbone to take on corporate greed.

Detroit Kroger Drivers Get the 'Grid'

Trip Pay Spreads

Workers at Advantage Logistics Michigan (formerly Foodland and Kroger) accepted a contract that traded driver's hourly pay for a top pension and a grid system, where workers are paid by the trip and lose time-and-a-half pay.

The 450-plus Local 337 drivers, warehouse workers, and mechanics rejected an initial offer, but following that, the company and union held meetings of 20-30 guys in breakrooms and told workers "this must pass." The first offer was rejected by 25 votes and the second passed by 26.

"If you took the 100 or so employees who would retire or be eligible this year out of the equation this contract would have gone down two to one," said warehouse worker John Gaither. "Members just wanted a dime more across the board: 50 cents over five years," he said, similar to area Spartan workers. Gaither noted that warehouse workers got much better raises than the previous contract.

"It was disappointing for a lot of us," Gaither added, "because there was not ever going to be a strike. If the contract was turned down again, they would go back to the table. Our union didn't put up a legitimate fight."

A long-time driver, David Iho, says, "We shouldn't be giving concessions now after we have given so many in the past. Getting paid by the trip under this grid system only sounds good when you can do it in less than the allotted time. More often, drivers will not get paid for work they're doing."

Iho notes that 10 years ago they took away double-time on Sundays, and now they have shifted more work to Sundays. With the grid, "overtime pay, premium pay, break times, and other such items shall not apply to drivers," according to the contract.

After six hours worked, drivers can be sent on runs where the total hours plus grid time would equal 10. This means 10-hour days without overtime pay, and there's no guarantee drivers wouldn't be delayed beyond the 10 hours.

The grid doesn't account for road conditions and delays. In addition to set travel times, there are set times for in the yard and at the stores, for pallet space, hooking or unhooking trailers, washing trailers, and more. The contract relies on customer cooperation to make deliveries and pick-ups problem free.

A four-person committee, two union reps and two company, can modify the times and rates established in the contract. The contract guarantees only that average compensation under the grid system shall not be lower than average previous compensation.

Employers Want the Grid

Employers have something to gain here. This is basic re-engineering, where the onus is on the worker to try to maintain decent pay by sticking within the allocated trip times — despite conditions. Drivers may try to beat the clock.

Data will be collected about how quickly workers complete trips and times and rates will be adjusted downward.

Teamsters on the west coast in the grocery industry haven't heard of the grid system with set travel times. But they do have incentive pay. If workers work faster, they can bank the amount of time they saved and later take it as time off or a payout.

The incentive pay was implemented a year ago and the company has cut the allotted times twice since then. A member notes, "At first they make it easy to attain, then they crank it up. The company has long-term goals that they're not telling you about."

Locals Scab on Each Other

Locals 337 and 614 (Hoffa's local) opened the door to these concessions in truck drivers' pay. Routes previously serviced by Advantage Logistics (ALM) under Local 337 jurisdiction were spun off to another company called Quickway two years ago. Quickway workers, now in Local 614, are suffering and the company can't keep employees.

Quickway drivers have "trip pay" (just like the grid system), also without time-and-a-half. Drivers are only allowed to log 15 minutes at each stop, regardless of the workload. Any additional time is considered "off duty." One driver told *Convoy*, "I'm trying to work only five days a week, 12 hours a day so I can have a life. But I'm working at least six 12-hour days."

"Many days you end up logging five hours of time worked for free, then you're making only \$11 an hour," he added. "We're seen as scabs by Local 337 workers." Quickway workers are still loading in the ALM yard and delivering the old Local 337 work.



Local 355 Lets Employer Use Illegal Program

Members Challenge Sysco Accident Point System

Local 355 members in Baltimore are challenging an outrageous, and illegal, safety policy implemented by Sysco Food Services.

Rolled out in January, the policy slaps workers with points for accidents, damages, or filing workers' compensation claims. Points continue to add up over a 24-month period, with 30 points resulting in termination.

According to Sysco, workers can be given points for "all accidents or incidents resulting in accidents that involve work-related injury, damage to equipment, merchandise or other property." Under this broad definition, a scratch on a forklift or a dropped case of product could result in points on a worker's record.

Since the policy was put in place in January, dozens of Teamsters have been fired, or left in disgust.

OSHA takes a dim view of programs that discipline employees for accidents, in

large part because they discourage accident and injury reporting. Often this is a thinly disguised goal. By law, employers have to report accidents and injuries to OSHA. Keeping reported accidents low can lessen the chances of an OSHA inspection.

Most states, Maryland included, have laws on the books that make it illegal to harass or discriminate against workers who file compensation claims.

It is also illegal to implement discipline policies without negotiating with the union. Local 355 could have taken a strong stand against Sysco's illegal policy. So far they have been silent, forcing members to take care of the problem.

TDU has provided copies of the Sysco documents to federal OSHA, and is working with Local 355 members to challenge the policy altogether.

Got safety issues or questions? Contact TDU for information.

The Truth About Southern California and the Arizona Kroger Strike

Hoffa's Failure, Lies and Attacks

Frank W. Halstead
Local 572 steward, Ralph's Grocery
Carson, Calif.

As a warehouse worker in Southern California I am disgusted and appalled by the lies and misinformation being spewed out by the Hoffa administration regarding Southern California's support of the grocery strike in Arizona.

The Hoffa administration would lead you to believe that picketing was successfully undertaken in California in support of the strikers at Fry's in Arizona. Well, that is not the case.

The first attempt to extend pickets, in the first week of October, was an extension from Local 439 in Stockton, Calif. The extension was based on an attempt to organize a recently acquired Northern Califor-

nia distribution facility. This extension lasted approximately 17 hours, with only Glendale, the smallest of the three Southern California distribution facilities, honoring the pickets. The two largest facilities, Compton and Riverside, both have perishable goods, and contractually are not allowed to honor any pickets until they have been established for 72 hours.

The second failed attempt to extend pickets was in the last week of October. This extension was from Arizona Local 104 and was based on Southern California locals doing struck work (the Allied Theory). This time all the locals were going to wait the 72 hours and honor the pickets together. When we heard what the strategy was we knew that the company would wait until the last minute and

then cease delivering to the Las Vegas Price Rite stores, thus eliminating the extension of pickets from Local 104. You don't have to be a rocket scientist to figure out that a company is not going to jeopardize servicing over 400 stores in Southern California and have over 3,000 employees honoring a picket line in order to service a handful of stores in Las Vegas. It was a no-brainer that this strategy was not going to provide enough pressure to force the company to bargain a good contract.

Just before the expiration of the 72 hours, the company informed the union that Southern California would no longer deliver to Las Vegas and the pickets were removed.

Teamsters in Southern California were ready and willing to do everything possible to help our brothers and sisters in Arizona in their fight against Kroger. After all, what is their fight today will surely be our fight tomorrow. It is infuriating to me to know that many Teamsters and their families suffered dearly and fought valiantly in this struggle, and many more were ready to do their part if only given the opportunity to do so. But rather than put together a winning strategy, the Hoffa administration decided to play politics. Hoffa decided to attack the man who seriously opposed him in the last election, Tom Leedham.

It was no coincidence that of all the

places around the country where pickets could have been extended, Hoffa chose Portland, Ore. Why not Cincinnati, Dallas, Atlanta, California, or a nationwide strike?

Because Hoffa had no plan to win for the workers, just a plan to play politics and attack Tom Leedham. That is why when the Oregon locals requested a meeting to discuss strategy Hoffa refused. That is why when the Oregon locals requested indemnification, because legal counsel questioned the legality of the extension, Hoffa refused. That is why of the four leaders, of the four locals having members who would have been affected, who voted to protect their members, the only name you consistently see being attacked is Tom Leedham.

No other local unions were asked to honor pickets under the same premise that the Portland locals were. In fact, a law firm that represents many Teamster locals in Southern California advised that the IBT's strategy of extending picket lines from Arizona was not legal and that following this strategy would be committing economic suicide.

Now the Hoffa administration is trying to tell you that the agreement reached in Arizona is a good deal. If losing seniority, losing numerous classifications that were union to nonunion, losing wages, not having the right to honor picket lines, accepting some of the worst management rights language, and much more, is a good deal, God help us all.

Election Rights Endangered

Fair and honest elections for local union office are central to a strong and democratic Teamsters Union. The record of any IBT leadership on this issue is of vital importance to all Teamsters.

The news right now is not good. Events in the past month in three local unions have exposed highly unethical — and in one case, illegal — schemes aimed at rigging elections and discouraging member participation.

Even worse, all three are Hoffa appointees, and thus their dirty tricks are not isolated problems but reflect heavily on the top leadership's approach to our membership rights.

Michigan

In Detroit Local 337, Michigan's largest Teamster local, President Larry Brennan has been charged by the IRB (see article, page 1) for diverting \$30,000 in union funds to his local re-election campaign. Brennan put Hoffa on his payroll in the 1990s to make him eligible to run for Teamster president.

Georgia

Ken Hilbish, president of Atlanta Local 528 and Hoffa's Warehouse Division Director, is currently involved in his own dirty tricks. He conducted a rigged vote, then replaced it with one impossible to monitor, and used his cozy relationship with employers to have his supporters bused to the polls while on working hours.

Years back, Hilbish himself was the victim of such a rigged vote. The incumbent officers held a walk-in election, with many sites and a roving ballot box with plenty of opportunity for ballot stuffing. Hilbish successfully protested the election, got a mail ballot rerun, and won.

Now he sings a different tune. Faced with widespread members' dissatisfaction, he tried last fall to put through a bylaws change for — you guessed it — walk-in voting. The vote was fraudulent. A legal challenge by TDU members got it voided.

Now Hilbish is up to new tricks. He

conducted a new bylaws vote, and set up voting at 29 different times, over a nine-day period, with polling stations open eight hours each, in five different states, with a total of 87 hours of voting. Then he made a deal with employers to bus his supporters on work time. Needless to say, the vote was impossible to monitor; Hilbish declared victory. A legal challenge is possible.

Washington

Another desperate character is Al Hobart, Hoffa's appointed trustee of Local 556, in Pasco, Wash. (see article page 10). Hobart's tricks began with his announcement in June of a quickie election, hoping to catch the rank and file off guard. When that didn't work, he went further: he changed the eligibility rules to make his outside appointees eligible; he refused to put labels on the envelopes members will mail back, thus requiring them to put on their name, address and social security number to be counted; he refused to update the union's mailing list, even when address corrections were given to him; he demanded that the reform slate turn over the names of their key supporters to him; he announced that he would review their literature before it could be mailed; and more.

If the Election Administrator who oversees delegate and IBT elections were involved in local elections, there is no chance that even one of Hobart's tricks would be allowed. But in this case Hobart reports to James Hoffa.

These dirty tricks have all come to light or occurred in the past month.

Fair elections may be the single most important way to measure the ethical standards of our union. We have made great strides in recent years, and enjoy new rights. Now top Hoffa appointees — and Hoffa has been informed about all these violations — are attacking members' rights.

All Teamsters, regardless of political orientation, have a stake in reversing this dangerous course.

New Booklet from TDU!

RUNNING FOR LOCAL UNION OFFICE:

HOW TO USE ELECTION CAMPAIGNS TO BUILD MEMBER INVOLVEMENT AND TRANSFORM OUR UNION

Based on the experience of dozens of successful reform officers, this 86 page booklet covers every aspect of campaign organization.

Price: \$10

Please send me _____ copies.

☐ check or M.O. enclosed.

☐ VISA/MC # _____ exp. ____ / ____

Name _____ Local _____

Address _____

City _____ State _____ ZIP _____

Return to:

TDU, P.O. Box 10128, Detroit, Mich. 48210-0128

Phone: 313-842-2600 Fax: 313-842-0227

Hoffa Gave Approval with No Questions Asked

IRB Uncovers \$900,000 Embezzlement in Indiana

The Independent Review Board (IRB) has uncovered a scheme "to launder money siphoned from members to fund additional benefits [for Teamster officials] unrelated to any union purpose." The Indiana Teamster officials involved in the plan, which the IRB says led to the embezzlement of \$893,553 of dues money, include Central Region Vice President Walt Lytle.

TDU claims that this is another example of some in the Teamster hierarchy living high off the members' dues without regard for how they get their money. Lytle strongly disagrees. He says the IRB report is "pure innuendo ... the facts do not sub-

stantiate it." He also said officers work hard and deserve multiple pensions.

The scheme began in 1994 when former Teamster president Ron Carey abolished the Area Conferences, a layer of bureaucracy that paid out 63 multiple salaries to top Teamster officials. Indiana officials saw a chance to divert dues money to their own officers-only "Severance and Retirement Plan." Walt Lytle admitted to the IRB that "we said that's money nobody would miss" because previously it was dues paid to the then-abolished Area Conferences, and members would be kept in the dark about

the deal.

The 34-page IRB report recommended that Indiana Joint Council 69 be placed into trusteeship. Hoffa promptly rejected this recommendation and instead sent in a representative who will later hold a hearing on the issue of trusteeship.

The IRB further calls for the "money improperly taken from the members ... be returned to the members," a refund of the \$900,000.

International Vice President Lytle says that if the money is returned, the delegates to the joint council could simply approve a new dues payment to replenish their pension money.

Hoffa Turns Blind Eye

Incredibly, Hoffa approved the dues diversion retroactively, without making any inquiry about where this huge sum of money was going. In February 2000, after the IRB launched its investigation, the president of Joint Council 69 requested retroactive approval (six years!) from Hoffa for a change in the bylaws. Hoffa promptly granted it, without any question about where the money was going. Or worse, Hoffa did know where it was going and approved it anyway.

At the same time Hoffa also retroactively approved seven other increases in funding for the Indiana Conference of Teamsters, which covered 16 years and over \$2.5 million. About 80 percent of this money, or \$2 million, went to the same extra benefit plan for officials. While the IRB has not announced any action on this matter, if Hoffa is serious about cleaning up the union and protecting the members' money, he will take action now to recover that \$2 million, without waiting to be forced to do so by the IRB.

The IRB's report detailed that the Indiana Joint Council exists "not for any union purpose ... but solely to fund an additional benefit" to officials, which was illegally kept secret from members.

The IRB's report detailed that Joint Council 69 exists "not for any union purpose ... but solely to fund an additional benefit" to officials, which was illegally kept secret from members.

The report notes that the joint council's minutes in six years "reflected no resolution of jurisdictional disputes, no votes for strike authorization, no recommendation for out of work benefits for members, no hearings on grievances," only transfers of money.

The IRB also noted that Indiana officials schemed to avoid the scrutiny of former Teamster president Ron Carey, who appointed a personal representative to the Indiana Joint Council in 1996. For 18 months Carey's representative blocked the money transfers, but after he left JC 69 immediately transferred \$204,505 for that 18-month period.

TDU Calls for Action

Here is what needs to be done to end these corrupt deals and put our union's money to work for the members:

- Open an investigation into Teamster structures where similar schemes may be in place. These may include hidden perks schemes in the Ohio Conference, Kentucky-West Virginia Conference, Missouri-Kansas Conference, and others.
- International auditors, who have been deployed by Hoffa as political operatives to harass reform leaders, should instead be ridding our union of all hidden perks for officials.
- Abolish do-nothing Teamster structures such as the Indiana joint council, with the monies returned to the locals and members.
- Hoffa says he wants to be "ethical." Instead of approving schemes and then covering up after them, he needs to start cleaning up this corruption.

Search Launched

Missing Pages in Teamster Magazine

In every issue of the *Teamster* magazine produced during the Hoffa administration, there are pages missing. Perhaps if enough Teamsters join the search (a reward is in order!) they can be found.

But first, consider the pages that are *not* missing.

There is no shortage of pictures of James Hoffa. A careful count, on a month-by-month comparison basis, shows that Hoffa has increased pictures of himself by 290 percent over his predecessor, Ron Carey. That's right, three times as many Hoffa photos!

There is no shortage of fiction. For example, the "history" articles in which every single Teamster president who was indicted and convicted for racketeering or stealing members' money is "forgotten". In the current July/August issue, there is a picture of Hoffa's dad, presented as a role model for Teamster youth. Yes, kiddies, you too can take payoffs from carhaul employers, get indicted for it, bribe the jury, and go to jail. Oh, yes, also serve a concurrent term in a separate conviction for lining your pocket from the members' pension fund!

There is no shortage of articles denouncing Ron Carey over and over, nearly three years after he resigned from his position as General President in late 1997. In the current issue, you can find the latest rerun of this story. Indeed, Carey's campaign manager and other consultants did illegally swap union funds to get some \$200,000 in campaign donations. But will this appear in each and every magazine throughout Hoffa's term? This is especially ironic in light of the fact that those Teamster presidents like Presser, Williams and Hoffa who were actually indicted or convicted (which Carey was not) are now heroes and role models.

Missing Pages

Missing pages include:

- Any report on what action the Interna-



Can you find the missing pages?

tional Union will take to recover the \$900,000 embezzled in Indiana and put into a special officials-only Severance and Pension Fund. We searched the July/August issue, and this was oddly missing.

- Any report on what action the International Union will take regarding the corruption, embezzlement and election-rigging committed by Hoffa's benefactor Larry Brennan. More missing pages, at least in the copies we have inspected.
- Any dissenting letters. Under the previous administration, each and every issue contained dissenting letters from members, including Hoffa supporters, starting right on page 2. Now, there are no dissenting letters. It's all Hoffa, all the time. And even these rah-rah letters have been banished to the back of the magazine, replaced on pages two and three by ... pictures of Hoffa! Hoffa in the front, rah-rahs in the back, and dissenting members completely missing. That seems to be the new philosophy in the International Union.

Convention Delegate Elections to Start in August

Election Administrator (EA) William Wertheimer has issued a list of 17 locals with seasonal workers that will hold elections for convention delegates this summer. The period for delegate elections for seasonal locals is from August to October. The designated locals must submit a Local Union Plan with a proposed timetable for nominations and balloting to the EA by the end of May.

There will be two other periods for delegate elections: those locals holding elections for local officers this fall may conduct delegate elections at the same time between October and December, 2000; most locals will conduct elections

between February and April, 2001.

Locals with early delegate elections are: 94, Visalia, Calif.; 173, Bradenton, Fla.; 186, Ventura, Calif.; 231, Bellingham, Wash.; 250, Pittsburgh; 252, Centralia, Wash.; 305, Portland, Ore.; 556, Walla Walla, Wash.; 601, Stockton, Calif.; 616, Fresno, Calif.; 670, Salem, Ore.; 746, Kingsburg, Calif.; 748, Modesto, Calif.; 760, Yakima, Wash.; 857, Sacramento, Calif.; 890, Salinas, Calif.; and 912, Watsonville, Calif.

Planning to Run for Delegate?

If you are considering running for delegate in your local, call TDU for information and tips on building your campaign.

Leedham Campaign Launched with Petition Drive

Across North America in early July, thousands of Teamsters signed the petition to accredit the Tom Leedham Rank & File Power Slate, to give Teamsters a real choice in next year's IBT election.

Unlike 1998, when Leedham came from nowhere to get 40 percent of the vote, he begins this race with a significant number of Teamsters knowing what he stands for. This is a big advantage.

Another boost to the Leedham campaign comes from the Hoffa administration. Hoffa promised to "restore the power," but has instead restored the perks. After a year in office, more members are starting to ask questions about when they will get anything out of Hoffa's big talk except press releases and charges filed against Hoffa's top associates.

Reports from the Leedham campaign and those received by TDU indicate that Teamsters are eager to sign the petition. From New Hampshire to California, from Ontario to Texas, wherever members are

petitioning, support is building. At several large work sites, hundreds of signatures have been gathered in a single day.

The petition drive is a month-long effort to gather 40,000 signatures on official Accreditation Petitions. This will ensure that the Leedham slate, and delegate slates aligned with Leedham, get access to the Teamster membership list, and also get space in the *Teamster* magazine so that all 1.4 million Teamsters will get to read the Rank & File Power viewpoint. The campaign is calling for all petitions to be in by August 15.

With an estimate of 200,000 votes needed to win the election, 40,000 Teamsters reached is also a good start on the campaign.

The Leedham campaign is urging all supporters to go all out at this time to ensure success in this drive. The campaign is setting local and regional goals, in conjunction with local supporters. The key is to act today to make it happen.

Members Assert Right to Petition at UPS

Petition Campaign Gains Momentum

In just four days of petitioning, activists in Minnesota passed the 1,000 mark on signatures gathered to gain accreditation for the Tom Leedham Rank & File Power slate. "We're seeing tremendous enthusiasm," said Local 320 member Erik Jensen. "A lot of people are signing, including Hoffa supporters because they understand what it's about — the right to get ad pages in the *Teamster* magazine."

Several activists turned out at the two UPS facilities and Honeywell, initial worksites targeted by the TDU chapter for petitioning. This blitz method of scheduling a number of volunteers to petition at key worksites has proved highly effective. Jensen adds, "The goal we set of collecting 2,500 signatures has been a driving force. It's important that we meet it. We're even getting out the old t-shirts and stickers."

UPS Management Backs Down

On the first day of petitioning in Minnesota, activists collected 500 signatures at UPS, despite management's attempts to interfere. UPS tried to move petitioners from the gate entrance and confine them to an area with limited access to members. TDUs came back with a protest decision won in the previous election and presented it to management.

Access to employer parking lots is an important element of the Election Rules won in previous IBT elections. Teamsters stood their ground here and won.

UPS threatened to call the police, but never did. It pays to know your rights and

to stand up for them!

Campaign Plans

The Minnesota TDU Chapter is hitting the campaign pavement with a running start. They have already raised \$2,050 and have produced 5,000 copies of their own leaflet with area contact information and a contribution pitch.

They've also been gearing up for a visit by Leedham in July, which will further boost the campaign in their state. Members will accompany Leedham to several area worksites and gather more signatures. During Leedham's stay, they are hosting a picnic to commemorate the anniversary of the 1934 Teamster truckers' strike.

Why No Hoffa Slate?

The Hoffa campaign is circulating accreditation petitions, but not for a slate. They are circulating some 27 separate individual petitions.

Hoffa realizes it is likely that some of his running mates will be charged with corruption in the months to come, and he may have to dump them, so he doesn't want to be tied to them. As one prominent Hoffa supporter told us, "What if ten of our guys get in trouble, and we are bound up with them on a slate?"

Tom Leedham is putting together a different kind of slate: a team to lead the union, not a bunch of officials hoping to dodge corruption charges.



"Building power isn't about celebrity union politicians pounding their fists on a table or holding a press conference. Real power comes from informed and united members. We need rank and file power to win stronger contracts and build a more powerful union."

Tom Leedham

Candidate for General President on the Rank & File Power Slate



Erik Jensen (right), collecting petition signatures at a Minneapolis UPS hub.

Get Involved in the Campaign!

Hoffa has plenty of PR consultants and access to the media, but the strength of the Rank & File Power campaign is in the members. Your help is needed, to spread the word, get petitions signed, and raise funds.

To get petitions or volunteer to help in the campaign, contact:

Tom Leedham Rank & File Power Campaign

P.O. Box 15877

Washington, D.C. 20003

646-387-2608

RankandFile2001@aol.com

To learn more about your rights, the election process, campaigning or running for delegate, contact TDU.

Michigan Local 247

Waste Workers Reject Contract, Unfair Pay

Local 247 members at two locations of Great Lakes Waste in Michigan voted by two-thirds to reject a contract that they had not seen until just before the vote. "We don't even know what's in our previous contract—we've never seen it. That was a source of a lot of members' confusion," said member Fred Densmore. After rejecting the contract, members authorized a strike.

Great Lakes Waste is the Division of Allied Waste into which BFI recently merged. More than 200 members have been working without a contract since November. Some members met prior to the vote to discuss what they knew of the proposed deal and the questions they would ask at the meeting.

At the contract vote meeting, the proposal was read quickly and members had little chance to question or comment before the vote. Densmore notes, "There were pages missing, vacation time was changed, the pension was bad, and time and a half was eliminated. We didn't want to vote on something we didn't even have the chance

to read."

A chief complaint is with the company's unfair pay scale and practices. The company pays a combination of day rates and hourly rates based on routes, but workers have no bidding rights (by seniority or otherwise). Although there is supposedly a \$12 per hour minimum pay rate, it only applies if you have a perfect record for the week: you must work every day, must not be late on any day, and must complete every route. Otherwise, management can punish people by switching their routes, cutting their pay, and increasing their workload.

Arbitrary Pay Rates

In addition, the company arbitrarily gives some workers more money per hour. This results in some workers making \$9 per hour and others \$22 per hour. No one ever knows how much their paycheck will be from week to week or if they'll be removed from a route for whatever reason.

The union has not tried to stop the discrimination in pay. No grievances are

being filed.

Workers oppose a company demand to switch all pay to day rates, which eliminates time and a half pay. On strict day rates, when you work more than nine hours (what the day rates are based on), you end up making less per hour. So the harder you work, the less you get.

For the former BFI workers, they were making more before their Teamster

contract, and the rejected new deal would have brought them even lower.

When the union discussed contract proposals with members in February, officials said it was better to wait because there would be power in numbers, once the merger took place. But workers didn't see that power reflected in the contract.

Members will be looking for ways to gain the improvements they seek.

Secret Severance Fund Nearly Bankrupts Louisville Local 89

Louisville Local 89 recently paid out an estimated \$650,000 in severance payments to former officers and BAs, most of whom were making around \$100,000 a year when they left the local. Union president Fred Zuckerman claimed at the March union meeting that he would try to stop this incredible rip off, but *Convoy Dispatch* recently obtained information proving he was not telling the truth.

Zuckerman led a faction of business agents who ran against former president Robert Winstead last fall. Zuckerman was planning to get that severance bonanza if he lost, and told Winstead he would pay it to Winstead if he won. On Nov. 8, 1999, Zuckerman told Winstead, "We got it [the huge severance] comin', OK, and we

know that you are just messing with us thinking that we'd do the same thing to you if we had the opportunity, and that's not accurate." Zuckerman, who had been fired as a BA for running against Winstead, demanded the money and promised Winstead he would not "mess" with the payout if he won.

Sure enough, Zuckerman misled the members about it, then forked over the \$650,000 to the former officials.

Zuckerman narrowly won the election last fall in a tight three-way race, with the reform United Rank & File slate headed by Fred Stephens coming in a close second, and Winstead a close third.

It's time for this fund and others like it to be ended.

Local Officials Intimidate Members Back to Work

Toronto Ready-Mix Workers Left Hanging

After paralyzing all new construction in the metro Toronto area over the course of an eight-week strike, 650 Local 230 ready-mix workers are feeling betrayed by local union leaders who forced them back to work without a contract settlement.

"What's the point in having a union if your leaders are afraid to fight the company?" asked Steve MacDonald, a driver for Innocon, the largest of the four ready-mix companies covered in the contract. "There's no reason we shouldn't have won a good contract, but our so-called leaders worked against us at every turn."

The ready-mix workers walked out on April 17 over a proposed contract that would have introduced a six-tier wage scale, forced weekend work, and created a second shift, which would eliminate the overtime pay that these seasonal workers rely on to stretch their wages out throughout the year.

Job Security, Equal Pay

"Our strike wasn't about a pay raise," said MacDonald. "It was about job security, and equal pay for equal work. We can't have fellow union members doing the same work for five dollars an hour less."

Local 230 officials, led by president John Burt, did nothing to prepare for a strike, and did virtually nothing to support the striking ready-mix workers once they went out on strike. Union officials refused to talk to the media about the issues surrounding the strike, allowing the compa-

nies to define the issues.

Even worse, local officials began undermining the workers as the strike wore on. They allowed a small unit of shop mechanics to vote separately on the contract proposal. When the mechanics ratified the deal, Burt forced the drivers to let their fellow Local 230 brothers cross their picket line and return to work.

On June 10, Burt called a meeting to vote on a proposal to return to work and submit the contract to binding arbitration. According to Mark Jackson, alternate steward at Innocon, "Before the vote, Burt told us, 'Vote yes and the arbitrator will go easy on you. Or vote no, and the government will legislate you back to work, and the arbitrator will be much less sympathetic.'" There were no questions allowed from the floor. Faced with a union leadership more interested in threatening them than supporting them, members narrowly voted to return to work.

Now back to work, the ready-mix workers are once again getting the runaround from the companies, which dragged their feet for over a month before distributing the raises, back pay, and holiday pay promised as part of the back to work deal.

Local 230 members are furious with their officials' betrayal of their strike, and are determined to make sure it doesn't happen again. "Our union needs leaders who understand that they work for the members, not the other way around," said Jackson.

Meet Willie Hardy

Candidate for Southern Region Vice President on the Rank & File Power Slate

Willie Hardy is a 33-year Teamster in Memphis Local 667, a rank and file driver who has a long history of working for members' rights. He's served as job steward and chief job steward at Roadway Express. He has served the union in a number of ways: by helping newly organized members negotiate their contracts; as president of the Teamster Building Association; and in 1996 he worked as an AFL-CIO Field Coordinator in the Congressional elections. Hardy has been an active Teamster reformer for over a decade, and is also an ordained Baptist Minister.

"I'm running because I think I can make a difference, as part of Tom Leedham's Rank & File Power Slate. We're about the members. We're going to work to get health coverage for all retirees, because many Teamster retirees don't have it or have to pay out of their pension to get it. We're going to put honest and qualified members onto grievance panels, which is too often not the case right now.

"We're about the future. We need to develop new leadership at all levels of our union. Many young people are not getting involved in unions, and that's a problem we have to address. The Hoffa leadership seems to like leaving people out of the loop. It keeps the old guard in power.



"Hoffa's talk and his actions are two different things. He ran as the '25-and-out' candidate. We already had that in the Central States Plan, and he hasn't done a thing about pensions. He says he is against corruption, but the people around him are getting charged with embezzling our union's money. He said he would cut and cap officers salaries but instead he raised his own and brought in a bunch of new multiple salaries.

"Tom Leedham is a proven leader. We're not about a celebrity name, we're about rank and file power. That's the future of the Teamsters."

Members' Voice to be Heard in Local 556

This month, Pasco, Wash., Local 556 members will have their first opportunity in decades to vote in a contested election for their local union officers, thanks to a lawsuit filed by IBP chief shop steward and TDU leader Maria Martinez.

James Hoffa imposed a trusteeship on Local 556 to try to block members from electing a Martinez-led reform slate in a local union election scheduled for last year. Martinez is a vice presidential candidate on the Tom Leedham Rank & File Power Slate.

But after a federal judge ruled that a

Hoffa appointee had illegally retaliated against Martinez for her union reform activity, Hoffa began to get nervous. Fearing that the same judge and the Election Administrator would rule that he imposed the trusteeship as retaliation against Martinez, Hoffa announced that a Local 556 election would be held this month.

The election announcement, which gave members the minimum notice required by law, was a sneak attack designed to catch the Local 556 reform movement off guard. But members have

quickly rallied behind the Members' Voice Slate headed up by Martinez and other rank-and-file reformers.

Platform for a Real Union

"We're not making vague promises. Our platform spells out the steps we will take to change Local 556 from a club for the officers to a real union that fights for the members," Martinez said.

In less than a week, some 500 members signed a petition publicly declaring their support for the slate. Hundreds of members are wearing Members' Voice t-shirts and stickers to work.

Hoffa-appointee Victor Serna, a Local 760 business agent who has never worked in a Local 556 shop, has organized a slate against the reformers. Serna's vice presidential candidate is a shop steward who scabbed during last year's 1,300-member strike against IBP.

Serna's "Unity Slate" does not include one striker from the largest strike in the Teamsters since UPS. In contrast, the Members' Voice Slate is made up of

IBP stewards and strike leaders, but it has also won the public endorsement of members who crossed the picket line.

With soft support among the members, Hoffa's appointees are relying on dirty tricks to try to win the election. After more than 700 members filled out address correction cards distributed by the Members' Voice Slate to make sure that the local had accurate records, Hoffa's trustee refused to update all of the records. Instead, he said that he would turn the names and phone numbers over to his slate of candidates.

Later, the trustee demanded a list of the names of the Members' Voice Slate's campaign activists. And in an effort to keep voter turnout low in a local where 85 percent of the members are immigrants, the trustee is forcing members to write their social security numbers on the outside of their return ballot envelopes.

"We have been facing old guard dirty tricks for years," Martinez said. "There's nothing that Hoffa can pull that will stop us from fighting for the members."

Ballots will be counted on August 7.

Detroit Newspaper Strikers

Five Years of Struggle (and Betrayal)

Near the July 13 five-year anniversary of the Detroit newspapers strike/lockout, the U.S. Appeals Court has handed down a heinous decision that could have been written by Gannett management. The Appeals Court reversed the NLRB's 5-0 bipartisan decision that found the strike to be an unfair labor practice strike, with all entitled to reinstatement and back pay. "This is a crucial loss for our legal defense: our right to back pay, the legal right to the jobs now occupied by permanent replacements, and the loss of leverage for the fired workers," strike activist Dennis Nazelli stated.

The court ruled on a narrow technicality involving a small aspect of the sum of broken labor law by the newspapers. This injustice could affect all of American labor, another court decision chipping away at our right to fight for jobs and justice.

Nazelli said, "I compare this decision to the first Rodney King trial. America witnessed those L.A. police beating and clubbing King. And yet the jury returned the wrong verdict. It feels like Gannett and Knight Ridder execs were the jury in this case, controlling the Reagan and Bush appointed judges.

"Where was Hoffa's outrage? Why didn't he have a press conference calling for an expanded boycott and that the struggle can still be won in the streets, if not the courts. That would be expecting too much. Hoffa has not once in five years

put up a "No Scab Papers" lawn sign on his own grass (in a Detroit suburb)."

At last year's fourth anniversary rally in Detroit, Hoffa promised \$20 million if necessary to stop Gannett and Knight Ridder's war against their workers. Those words were welcome news to the 700 workers and labor activists in the street. However, his subsequent actions betrayed that promise. On May 21 Hoffa cut off funding for the Workers Justice Committee. This was the core group of striking/locked out and fired newspaper workers who worked full time on strike activities with enhanced strike benefits to support them. It's largely the work of the Committee that has 35 percent of the newspapers' former readers still backing the boycott.

Nazelli told us, "Hoffa's man in charge of negotiations, Jon Rabine, has already bargained away our seniority rights and even the union shop: the permanent replacements will not have to pay dues."

Strikers and supporters are still determined to stand up to corporate greed. They have organized events around the five-year anniversary of the struggle.

Despite having the courts in their pocket, and despite the recent decision to stop funding the Workers Justice Committee, the newspapers don't have much to celebrate. Recent memos from *Detroit Free Press* managing editor Dave Robinson showed that circulation of the Sunday paper is as low as it has been in decades.

Company Provokes Lockout, then Announces Plant Closing

Natrel Dairy Workers Fight Union Busting in Ontario

Canadian dairy industry giant Natrel locked out 53 Teamsters at their London, Ontario, plant on May 1. On July 5, the company announced they would be closing the London plant, citing a need to "consolidate operations."

The 53 members of Ontario dairy Local 647 were fighting company efforts to implement a two-tier wage scale, introduce permanent part-time workers and subcontracting, eliminate cost of living allowances and weekend premium pay, and other concessions.

The Natrel workers continue to stand strong, and have received solidarity and support from other unions in the London area. Local 647 and Teamsters Canada officials have attempted to discuss severance benefits with Natrel parent company AgroPur, but at this point the company is only offering a basic package of one week's pay for each year served.

Natrel Teamsters are still asking supporters to express their solidarity by boycotting Natrel products, which include Sealtest and Natrel brands.

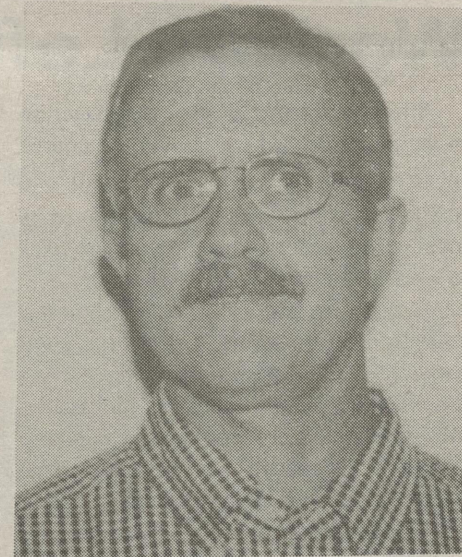
Meet Howard Rempfer

Candidate for Western Region Vice President on the Rank & File Power Slate

Howard Rempfer is the newly elected secretary-treasurer and principal officer of Stockton, Calif., Local 439, representing Teamster members at UPS, freight, warehousing, soft drink, construction, bakery and other jurisdictions. Howard is a long time Teamster reformer and has been a member of TDU since 1983.

Howard has been a Teamster since 1977 when he went to work for UPS as a package car driver. "The employers are smarter, meaner and more hostile to unions now than at any other time in my working life," Rempfer said. "If labor is going to be able to hold its own and advance our cause we're going to have to reinvent ourselves to incorporate the ideas of membership involvement and member-to-member organizing that Tom Leedham has been talking about and doing in his own local for years.

"Tom Leedham's ideas were part of what inspired us in Local 439 to organize a slate and turn out our old guard incumbents last year. While it's a rocky road we're starting to turn this local around now. But if we're going to be ultimately



successful we have to transform this union into a member owned and member controlled organization from the shop floor right up to the International headquarters in Washington, D.C. I want to be part of that historic transformation. That's why I am so proud and honored to be part of the Tom Leedham Rank and File Power Slate."

TDU Convention 2000!

Nov. 3-5

Sheraton Airport Cleveland

- Attend educational workshops
- Join with other reformers to plan for the upcoming Teamster Convention and victory in the 2001 election for International officers!

Know Your Rights

Federal Law Restricts Employer Investigations

By Attorney Robert M. Schwartz

Suspicious that employees were smoking marijuana on the job, a plant manager hired a detective agency to supply an informant. After working for six months, the informant reported 14 employees as drug users and three employees as suppliers. The sellers were fired and the users were placed on four-week suspensions. Has the employer violated the law?

Many unions (and some union lawyers) are unaware that a federal law prohibits employers from hiring outside agencies to secretly investigate employees. Unions can use this law to defend workers fired for alleged drug use, theft, sexual harassment, work during leaves, and other similar matters.

Fair Credit Reporting Act

Employee investigation rules are set out in a 1970 law called the Fair Credit Reporting Act (FCRA). Amendments in 1996 significantly add to employer obligations.

The FCRA seeks to discourage

outside investigators from submitting reports based on rumors, exaggerations, or outright lies. One of the ways the FCRA does this is by forcing employers to disclose investigations.

Coverage

The FCRA applies when an employer hires a private detective agency, law firm, or other professional investigator to provide an oral or written report about the personal characteristics, character, lifestyle, or credit standing of an employee or group of employees. The FCRA *does not apply* to investigations carried out by supervisors or other in-house personnel.

Interview-Based Investigations

The FCRA prohibits an employer from commissioning a reporting agency to conduct an interview-based investigation unless the following six steps have been taken:

1. The employer must have given written notice to employees — at time of hire or later — that it may obtain reports about them. This notice must be in a separate document given to each employee, not a paragraph in a job application or personnel manual.

2. Employees must provide authorizations in writing allowing the employer to obtain reports about themselves.

3. No later than three days after the employer requests an outside agency to conduct an interview-based investigation, the employer must give the subject employee or employees written notice that the employee is being investigated. The notice must inform the employee that he or she may request a description of (a) the nature and scope of the investigation, and (b) the employee's rights under the FCRA.

4. If the employee requests information, a description of the investigation must be supplied within five days. The description must include facts such as the persons who will be interviewed, the questions that will be asked,

and the name and address of the investigator.

5. When the report is received, the employer must delay any adverse action such as a decision to discharge, demote, or transfer until the employee is given a copy of the report and a summary of the employee's FCRA rights.

6. If adverse action is undertaken, the employer must give the affected employee the name, address, and telephone number of the agency that supplied the report as well as a notice of the employee's right to dispute the contents of the report.

Surveillance

An investigation which does not include personal interviews with co-workers, neighbors, or other persons — such as a pure

surveillance — does not have to follow rules 3 and 4 above. All other FCRA rules, including the necessity for prior written authorization, apply.

In the scenario concerning the marijuana investigation, if the informant obtained any of the information for his report from discussions with employees or others, the report is interview-based and must satisfy all six FCRA rules.

Labor attorney Robert Schwartz is the author of several books for union activists, available from TDU (see ad below). He also gives popular workshops on your rights at the TDU Convention.

If you want more information on your rights, contact TDU, and make plans now to attend the TDU Convention, Nov. 3-5 in Cleveland.

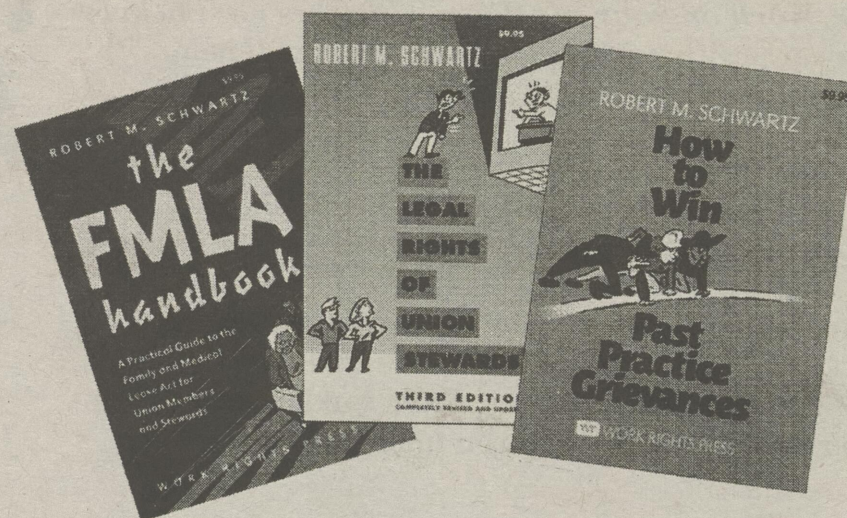
Special Provision for Transportation Workers

A special FCRA provision applies to trucking and certain other transportation employees. Persons who apply for employment by mail, telephone, computer, or other similar means can be provided with FCRA notices orally or by electronic means and can assent orally or electronically. Otherwise, the FCRA applies as described.

Discipline instituted in violation of the FCRA is illegal. Affected employees (such as the suspended and discharged workers in the example above) can sue (within two years) for lost wages, legal fees, and, where the violations are deliberate, punitive damages. Complaints can also be lodged with the Federal Trade Commission in Washington (The FTC toll-free complaint number is 1-877-382-4357).

Learn More About Your Rights

Books by Bob Schwartz



Boston labor attorney Bob Schwartz is the author of the *FMLA Handbook*, the *Legal Rights of Union Stewards* and *How to Win Past Practice Grievances*. These comprehensive guides are written in an easy to use format, and are a valuable resource for any Teamster. The *Legal Rights of Union Stewards* is also available in Spanish. \$9.95 each.

Please send me: _____

Amount enclosed \$ _____

Visa/MC # _____ Exp. date _____

Name _____ Local _____

Address _____

City _____ State _____ Zip _____

Return to: TDU, Box 10128, Detroit, Mich. 48210



Thinking of Running for Delegate or Local Office?

Now's the Time to Start

This fall many local unions will hold elections. If your local needs a change in leadership, now is the time to take positive action.

Every local union will be holding an election for delegates to the Teamster International Convention. Some of those elections will be this fall, and more of them will be in January to March.

Waiting until the last minute is a big mistake. The time to start getting involved is now. For a complete rundown on all aspects of the process, get a copy of "Running for Local Union Office" or contact TDU today.

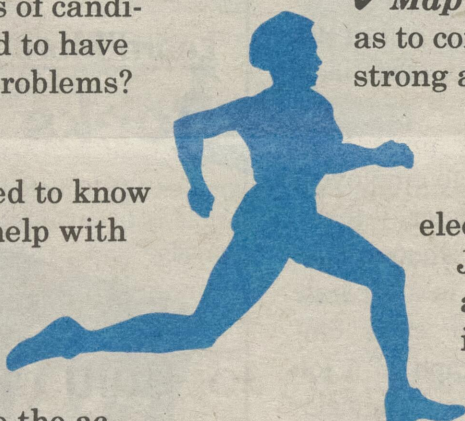
An Early Checklist for Running for Office

✓ **Choose your candidates.** Most elections, for officers or delegates, involve slates or teams of candidates. You will need a team. And you need to have each of them check their eligibility. Any problems? Call TDU.

✓ **Work on your platform.** Members need to know what positive goals you stand for. It will help with the literature you will need to produce.

✓ **Start building support.** Visit with members, stewards and contacts. Build lists of addresses and phone numbers. Use the accreditation petition, raffles and other ways to reach out. Phone numbers can be used for phone-banking.

✓ **Start raising money.** From candidates and supporters. Know the rules on fundraising.



✓ **Map your local.** Get a worksite list. Chart them as to contacts or support you have. Target your strong areas.

✓ **Get the Local Union Plan.** [delegate elections only] Each local holding a delegate election this fall has one available to you. For January-March delegate elections, it must be available by Sept. 30. It contains valuable information on dates, worksites, etc and must be given to members on request.

✓ **Level the playing field.** You will need to know the rules to play the game. The Rules for the International Officer and Delegate election is available from the IBT Election Administrator, 202-624-8710.

Contact TDU for information or assistance, election timetables, to get the latest LM-2 financial report on your local or to order "Running for Local Union Office", which contains a wealth of information on all of these topics and more.

Teamsters for a Democratic Union

P.O. Box 10128

Detroit, Mich. 48210-0128

313-842-2600, fax 313-842-0227

tdudetroit@tdu.org - www.igc.org/tdu/

